

S. R. No. 60—By Senator Snelson: Memorial resolution for Joe W. Espy.

S. R. No. 61—By Senator Snelson: Memorial resolution for A. B. McCain.

S. R. No. 62—By Senator Snelson: Memorial resolution for Jasper Barham "Jap" Foster.

Congratulatory Resolutions

S. C. R. No. 7—By Senator Schwartz: Commending the citizens of Brazoria County for their efforts directed to the benefit of Linda Lou Rose, a young girl deprived of her family, and in particular for the establishment and maintenance of a fund for her education.

S. R. No. 64—By Senator Blanchard: Extending congratulations to Sigma Phi Epsilon fraternity for its many accomplishments.

S. R. No. 65—By Senator Schwartz: Extending congratulations to Miss Clara Knipling on her selection as "Outstanding Elementary Teacher of America for 1972."

S. R. No. 66—By Senator Schwartz: Extending congratulations to Pete S. Miller on his selection as "Boss of the Year" by Galveston chapter of American Business Women's Association.

Recess

On motion of Senator Word, the Senate at 4:12 o'clock p.m. took recess until 11:00 o'clock a.m. tomorrow.

THIRD DAY

(Continued)

(Thursday, October 5, 1972)

After Recess

The Senate met at 11:00 o'clock a.m. and was called to order by the President.

Reverend W. H. Townsend, Chaplain, offered the invocation.

Leaves of Absence

Senator Bates was granted leave of absence for today on account of important business on motion of Senator Moore.

Senator Watson was granted leave of absence for today on account of important business on motion of Senator Word.

Senator Bernal was granted leave of absence for today on account of important business on motion of Senator Kothmann.

Reports of Standing Committees

By unanimous consent, Senator Aikin submitted the following reports for the Committee on Finance:

S. B. No. 48.

C. S. S. B. No. 17 (Read first time).

S. B. No. 35 (Amended).

Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

H. C. R. No. 10

H. C. R. No. 11

H. C. R. No. 8

(Senator Mauzy in Chair)

Senate Bill 18 On Second Reading

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 18, A bill to be entitled "An Act exempting certain aviation schools and instructors from the Texas Proprietary School Act; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 18 On Third Reading

Senator Creighton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S. B. No. 18 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Blanchard
Beckworth	Bridges

Brooks	McKool
Christie	Moore
Connally	Patman
Creighton	Schwartz
Harris	Sherman
Herring	Snelson
Hightower	Tippen
Jordan	Wallace
Kennard	Wilson
Kothmann	Word
Mauzy	

Nays—1

Harrington

Absent

Bernal Hall

Absent—Excused

Bates Watson
Grover

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Kennard
Beckworth	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Hall	Snelson
Harris	Tippen
Herring	Wallace
Hightower	Wilson
Jordan	Word

Nays—1

Harrington

Absent

Bernal

Absent—Excused

Bates Watson
Grover**Senate Bill 35 Ordered Not Printed**

On motion of Senator Kennard and by unanimous consent, S. B. No. 35 was ordered not printed.

**Insurance Bill Ordered Pre-Printed
Before Report of Economic
Development Committee**

On motion of Senator Blanchard

and by unanimous consent, the Chairman of the Economic Development Committee was authorized to order the pre-printing of any insurance bill approved by the Committee prior to formal reporting to the Senate.

(President in Chair)

Senate Bill 30 On Second Reading

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 30, A bill to be entitled "An Act relating to the promotion of the development of the film, television, and multimedia production industry in Texas by establishing the Texas Film Commission in the office of the Governor; making an appropriation; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 30 On Third Reading

Senator Creighton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S. B. No. 30 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Jordan
Beckworth	Kennard
Blanchard	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Hall	Snelson
Harrington	Tippen
Harris	Wallace
Herring	Wilson
Hightower	Word

Nays—1

Moore

Absent—Excused

Bates Grover
Bernal Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Jordan
Beckworth	Kennard
Blanchard	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Hall	Snelson
Harrington	Tippen
Harris	Wallace
Herring	Wilson
Hightower	Word

Nays—1

Moore

Absent—Excused

Bates	Grover
Bernal	Watson

Senate Bill 28 On Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 28, A bill to be entitled "An Act authorizing the Governor of the State of Texas to determine certain facts specified by the Legislature as a prerequisite to the expenditure of certain appropriations; providing the procedures incident thereto; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 28 On Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S. B. No. 28 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Bridges
Beckworth	Brooks
Blanchard	Christie

Connally	McKool
Creighton	Moore
Hall	Patman
Harrington	Schwartz
Harris	Sherman
Herring	Snelson
Hightower	Tippen
Jordan	Wallace
Kennard	Wilson
Kothmann	Word
Mauzy	

Absent—Excused

Bates	Grover
Bernal	Watson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Kennard
Beckworth	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Hall	Snelson
Harrington	Tippen
Harris	Wallace
Herring	Wilson
Hightower	Word
Jordan	

Absent—Excused

Bates	Grover
Bernal	Watson

(President Pro Tempore in Chair)

Senate Bill 27 On Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 27, A bill to be entitled "An Act granting to the Governor authority to meet situations presenting an emergency and an imperative public necessity; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Harris asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

Senate Bill 27 On Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S. B. No. 27 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kennard
Beckworth	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Hall	Snelson
Harrington	Tippen
Herring	Wallace
Hightower	Wilson
Jordan	Word

Nays—1

Harris

Absent—Excused

Bates	Grover
Bernal	Watson

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Kennard
Beckworth	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Hall	Snelson
Harrington	Tippen
Herring	Wallace
Hightower	Wilson
Jordan	Word

Nays—1

Harris

Absent—Excused

Bates	Grover
Bernal	Watson

Senate Bill 32 On Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 32, A bill to be entitled "An Act making an appropriation to the Governor for emergency use in accordance with S. B. No. 27, Acts of the Sixty-second Legislature, Fourth Called Session, 1972; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Harris asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

Senate Bill 32 On Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S. B. No. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kennard
Beckworth	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Hall	Snelson
Harrington	Tippen
Herring	Wallace
Hightower	Wilson
Jordan	Word

Nays—1

Harris

Absent—Excused

Bates	Grover
Bernal	Watson

The President Pro Tempore then

laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Kennard
Beckworth	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Hall	Snelson
Harrington	Tippen
Herring	Wallace
Hightower	Wilson
Jordan	Word

Nays—1

Harris

Absent—Excused

Bates	Grover
Bernal	Watson

Report of Standing Committee

By unanimous consent, Senator Harris submitted the following report for the Committee on State Affairs:

S. B. No. 36

Senate Bill 31 On Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 31, A bill to be entitled "An Act relating to the issuance of orders by the State Board of Insurance affecting the catastrophe property insurance pool; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 31 On Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S. B. No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Kennard
Beckworth	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Hall	Snelson
Harrington	Tippen
Harris	Wallace
Herring	Wilson
Hightower	Word
Jordan	

Absent—Excused

Bates	Grover
Bernal	Watson

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Kennard
Beckworth	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Schwartz
Creighton	Sherman
Hall	Snelson
Harrington	Tippen
Harris	Wallace
Herring	Wilson
Hightower	Word
Jordan	

Absent—Excused

Bates	Grover
Bernal	Watson

Senate Bills On First Reading

By Senator McKool:

S. B. No. 49, A bill to be entitled "An Act authorizing each county having a population in excess of one million inhabitants to issue negotiable certificates of indebtedness for the purpose of acquiring voting machines or voting equipment pursuant to Section 79 or Section 80, Texas Election Code; the levy of a tax in payment of such certificates; providing for a limitation of \$5 million of such certificates for each such county; providing for the approval of such

certificates by the attorney general and registration by the comptroller of public accounts; qualifying such certificates for investment purposes and security of public funds; providing for severability; and declaring an emergency."

To Committee on Human Resources.

By Senators Mauzy and Hightower:

S. B. No. 52, A bill to be entitled "An Act authorizing each city, town, village, county, and conservation district, including each river authority, to acquire, construct and improve or cause to be acquired, constructed and improved air control facilities, acquire interests in land and enter into leases or other contracts with persons whereby such persons shall use and or acquire such air control facilities; authorizing each to issue, sell and deliver revenue bonds to provide funds for such purposes; prescribing the terms of such bonds; providing for such bonds to be issued in one or more series; authorizing the issuer to fix and from time to time revise payments under leases and other contracts for use or acquisition of the facilities of the issuer; making provisions in the event of default or threatened default in the payment of such bonds; providing that such bonds shall be special obligations of the issuer; authorizing the refunding of such bonds; authorizing the securing of such bonds by trust indentures; providing for the approval of such bonds and leases or other contracts by the Attorney General; making such bonds and contracts incontestable; providing that such bonds shall be legal investments and eligible to secure public deposits; providing for tax exemption; providing that this law shall be cumulative of existing laws; providing for severability; declaring an emergency, and making other provisions in the premises."

To Committee on Natural Resources.

Message From the House

Hall of the House of Representatives.
Austin, Texas,
October 5, 1972.

Hon. Ben Barnes, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. 7, Commending the citizens of Brazoria County for their efforts directed to the benefit of Linda Lou Rose, a young girl deprived of her family, and in particular for the establishment and maintenance of a fund for her education.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 8 Ordered Printed in Senate Journal

On motion of Senator Word and by unanimous consent, S. C. R. No. 8 was ordered printed in the Senate Journal.

Memorial Resolutions

S. R. No. 72—By Senator Schwartz: Memorial resolution for Roy L. Keller.

S. R. No. 74—By Senator Christie: Memorial resolution for Katherine Huffman White.

S. R. No. 75—By Senator Christie: Memorial resolution for Mrs. Pearl "Pat" Bryson.

S. R. No. 76—By Senator Snelson: Memorial resolution for Mrs. Joe E. (Onita) Beakey.

S. R. No. 77—By Senator Snelson: Memorial resolution for Mrs. H. A. Roach.

S. R. No. 78—By Senator Snelson: Memorial resolution for W. C. Ruthenford.

S. R. No. 79—By Senator Snelson: Memorial resolution for Leon Theriot.

S. R. No. 80—By Senator Snelson: Memorial resolution for Marvin E. Grote.

S. R. No. 81—By Senator Snelson: Memorial resolution for The Reverend Wesley Fillmon.

Welcome and Congratulatory Resolutions

S. R. No. 68—By Senator Moore: Expressing appreciation to Zion Lutheran Church of Anderson for their contributions to Texas.

S. R. No. 69—By Senator Harrington: Extending welcome to Mr. and Mrs. R. D. Brittain, et al.

S. R. No. 70—By Senator Herring:

Extending welcome to Seniors of Westlake High School.

S. R. No. 71—By Senator Schwartz: Commending Dr. John McGivney for his many contributions to the medical profession.

S. R. No. 73—By Senator Bridges:

Commending Judge Paul A. Martineau for his service to the state.

Adjournment

On motion of Senator Word the Senate at 11:55 o'clock a.m. adjourned until 11:00 o'clock a.m. Monday, October 9, 1972.

In Memory of Luther Raley

Senator Word offered the following resolution:

(Senate Concurrent Resolution 8)

Whereas, On September 14, 1972, close friends, business associates, and citizens of Valley Mills, of Austin and those in the state official family were saddened at the death of Luther Raley of Valley Mills; and

Whereas, Mr. Raley, to whom death came at the age of 86, was a native of Rosebud, Arkansas, but had lived in Valley Mills, Texas, since 1894; his wife, to whom he was married on July 30, 1920, was the former Lota Lewis of Fort Worth; and

Whereas, To know Luther Raley was to desire his friendship and once given, the friendship of this loyal and good man was a treasure which many Members of the Texas Legislature counted among their most prized possessions; and

Whereas, Beginning his public service as a commissioner of Bosque County, Mr. Raley served two terms before assuming responsibility for two state highways in the area; and

Whereas, In 1927 he began his employment with the Community Public Service Company in the position of buyer of rights-of-way for power lines; later he became special representative for the company, driving more than two million miles during this employment; and

Whereas, He also represented the company in legislative matters at the State Capitol in Austin, and he continued serving in this capacity until his retirement in 1964. It was during this period that he made his many friends in the Legislature, and Mr. Raley will long be remembered for his geniality, his willingness to see both sides of an issue, and the deep sense of responsibility held both for his company and the people of Texas; and

Whereas, While working on legislative matters in Texas, Mr. Raley also secured franchises for his company in Kentucky and New Mexico, held tax meetings with city governments, and purchased rights-of-way and settled damage claims; and

Whereas, On his retirement after 37 years with the utility company, Mr. Raley continued to live in Valley Mills, where he had maintained his residence despite the many miles he traveled and the many hours, days, and weeks he had to be away from home; and

Whereas, He served his community as a member of the school board for many years, was a director of the First National Bank in Valley Mills, and was a strong supporter of his church, the First United Methodist Church of Valley Mills; and

Whereas, Mr. Raley was also active in the John Armstrong Masonic Lodge of Valley Mills; and

Whereas, Mr. Raley's wisdom and knowledge of state affairs, his friendliness and the loyalty he showed to all those with whom he became associated gained him the affection and respect of Legislators and business associates as well; and

Whereas, The Legislature of the State of Texas wishes to pay tribute to this outstanding Texan, who was a modest man, a patriotic citizen, and a conscientious and devoted friend; now, therefore, be it

Resolved by the Senate of the 62nd Legislature, 4th Called Session, the House of Representatives concurring, That the Legislature of the State of Texas by this Resolution recognize the great loss to this State by the death of Luther Raley; and, be it further

Resolved, That the Legislature extend sincere sympathy to the members of his family to whom he was so devoted: to his wife, Mrs. Lota Lewis Raley; his daughter, Mrs. Thomas J. Patton of Waco; his brother, Bun Raley of Waco; and his four grandchildren, his nephews and nieces; and, be it further

Resolved, That official copies of this Resolution be prepared for the members of his immediate family, and that when the two Houses of the Texas Legislature adjourn this day, they do so in memory of Luther Raley.

WORD
CREIGHTON
MOORE
HALL
HERRING
CONNALLY
SNELSON
BLANCHARD
AIKIN
HIGHTOWER

Signed—Lieutenant Governor Ben Barnes; Bates, Beckworth, Bernal, Bridges, Brooks, Christie, Grover, Harrington, Harris, Jordan, Kennard, Kothmann, Mauzy, McKool, Patman, Schwartz, Sherman, Tippen, Wallace, Watson, Wilson.

The resolution was read.

On motion of Senator Hightower and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Word, the resolution was adopted by a rising vote of the Senate.

FOURTH DAY

(Monday, October 9, 1972)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Schwartz
Connally	Sherman
Creighton	Snelson
Grover	Tippen
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Absent—Excused

Bates Moore

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, October 5, 1972, was dispensed with and the Journal was approved.

Leaves of Absence

Senator Moore was granted leave of absence for today on account of illness on motion of Senator Aikin.

Senator Bates was granted leave of absence for today on account of important business on motion of Senator Bridges.

Senate Resolution 82

Senator Brooks offered the following resolution:

Whereas, Mr. and Mrs. Harvey J. Wallace of Searcy, Arkansas, will celebrate their Fiftieth wedding anniversary on October 22, 1972; and

Whereas, Mr. and Mrs. Wallace are lifetime residents of White County, Arkansas; and

Whereas, Nine children were born to them, five of whom became Texas

citizens, one of which is a member of the Texas Senate; and

Whereas, Mr. and Mrs. Wallace have dedicated their lives to their children, God, and their neighbors and fellow citizens; and

Whereas, Throughout their lives Mr. and Mrs. Wallace have shown by word and example the benefits of the American Way of Life, i.e., respect for self, respect for fellow man and his rights; responsibility to self and others, integrity, hard work and service to God and country; now, therefore

Be It Resolved by the Senate of the Fourth Called Session of the 62nd Legislature that the Senate of the State of Texas offers its congratulations to Mr. and Mrs. Harvey J. Wallace upon the celebration of their Fiftieth Wedding Anniversary.

The resolution was read and was adopted.

Message From the House

Hall of the House of Representatives
Austin, Texas,
October 9, 1972,

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 5, Authorizing that Members be reimbursed for their actual and necessary expenses incurred while engaged in the work of the committee at meetings at locations other than the City of Austin while the Legislature is in session.

H. C. R. No. 18, In memory of Wendell H. Bedichek.

H. C. R. No. 21, In memory of Merle T. Waggoner.

H. C. R. No. 23, Commending the San Antonio Opportunities Industrialization Center.

S. C. R. No. 8, In memory of Mr. Luther Raley.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committee

Senator Snelson submitted the following report for the Committee on Intergovernmental Relations: